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FILED CLERK, U.S. DISTRICT COURT	5/15/2015
CENTRAL DISTRICT OF CALIFORNIA	
BY: CW DEPUTY	

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8                   **UNITED STATES DISTRICT COURT**  
9                   **CENTRAL DISTRICT OF CALIFORNIA**  
10                  **WESTERN DIVISION**

11 JOHN MITCHELL, an individual, on  
12 behalf of himself and all others similarly  
13 situated,

Case No.: CV13-06624-MWF(PLAx)

14                   **JUDGMENT**

15                   Plaintiff

16                   vs.

17 MEDTRONIC, INC., A MINNESOTA  
18 CORPORATION,

19                   Defendant

20  
21                   **IT IS HEREBY ORDERED:**

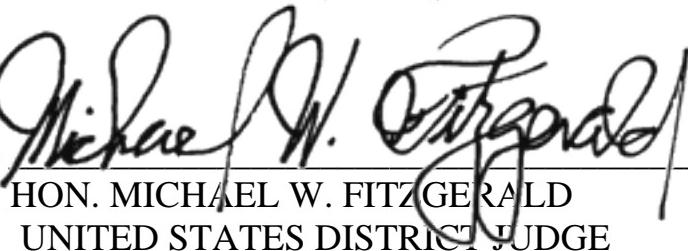
- 22     1. Pursuant to Federal Rule of Civil Procedure 68, this Court hereby enters  
23       judgment in favor of Plaintiff JOHN MITCHELL in the total amount of  
24       \$3,000.  
25     2. This Judgment will fully satisfy and resolve any liability or damages with  
26       respect to plaintiffs individual and class claims for meal period violations,  
27       specifically, the second claim for relief in plaintiff s Second Amended  
28       Complaint for failure to provide adequate meal periods, and the fourth and

1           fifth claims for relief in his Second Amended Complaint premised on the  
2           alleged failure to provide adequate meal periods, including any injunctive  
3           relief, penalties, interest, costs and/or attorneys' fees associated with those  
4           claims.

- 5           3. Plaintiff retains all rights to appeal individual and class claims that were  
6           dismissed by this Court's February 13, 2015 Order granting Medtronic's  
7           motion to dismiss, specifically, the first and third claims for relief in plaintiffs  
8           Second Amended Complaint, and the fourth and fifth claims for relief that are  
9           predicated, in part, on Medtronic's alleged failure to include missed meal  
10          period premium payments in its calculation of the "Regular Rate of Pay." (Dkt.  
11          No. 45.) In particular, plaintiff retains any right to appeal the final judgment as  
12          it relates to any claims covered by the February 13, 2015 Order and retains all  
13          rights to any subsequent damages, interests, costs and/or attorney's fees  
14          relating to those claims. Medtronic is not agreeing that any such appeal by  
15          plaintiff has merit. Plaintiff will retain a personal stake only in the individual  
16          and class claims dismissed by the February 13, 2015 Order.
- 17          4. Medtronic's Offer was made for the purposes specified in Rule 68 of the  
18          Federal Rules of Civil Procedure and is not an admission that Medtronic is  
19          liable in this action or that plaintiff has suffered any damage.

20  
21          DATED: May 15, 2015

22          By:



23          HON. MICHAEL W. FITZGERALD  
24          UNITED STATES DISTRICT JUDGE